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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/026,270

12/21/2001

Robert E. Bicking

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08/30/2004

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EXAMINER

WELLS, KENNETH B

ART UNIT

PAPER NUMBER

2816

DATE MAILED: 08/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

KS

Office Action Summary	Application No. 10/026,270	Applicant(s) BICKING, ROBERT E.	
	Examiner Kenneth B. Wells	Art Unit 2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The amendment filed on 6/4/03 has been entered into the case.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 6, "said amplifier said signal-conditioning circuit" is vague and indefinite. It appears that one or more words of text are missing here. Also in claim 1, line 7, "compensates to drive" is vague and indefinite, because it cannot be determined what exactly applicant means here. To recite that the offset correction voltage at the input of the amplifier "drives" the output voltage makes no sense. Finally in claim 1, it cannot be determined what is meant by "to an input voltage divided by a value of two by calibration" on line 8. It is suggested that the last five lines of claim 1 be deleted entirely and rewritten so as to make clear what applicant is trying to claim here.

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Claim 6 is indefinite because it is misdescriptive of the invention, i.e., where does the specification support this feature?

As a minor point, in claim 7, "coupled" should be deleted.

In claim 8, line 2, "coupling comprise" is not understood. It appears that the word "comprise" should be deleted.

In claim 13, "low" is indefinite, for the reasons noted in the previous office action.

Claims 14-28 are seen to include the same problems noted above with regard to claims 1, 6, 8 and 13 and as such should also be corrected in response to this office action.

4. Claims 1, 3-8, 14, 15 and 18-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Kunde et al.

Note paragraph two of the 1/29/03 office action for the details of this rejection.

5. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Nelson.

Note paragraph three of the 1/29/03 office action for the details of this rejection.

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6. Claims 2, 11, 16 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kunde et al.

Note paragraph four of the 1/29/03 office action for the details of this rejection.

7. Applicant's arguments filed on 6/4/03 have been fully considered but they are not persuasive.

The arguments against the rejections using Kunde et al and Nelson are all based on the above-noted indefinite limitations in the independent claims and thus cannot be relied upon to define over the prior art since the examiner is not clear on what these differences are.

8. In view of the above-noted new grounds of rejection not necessitated by applicant's amendments, this action is non-final.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the

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organization where this application or proceeding is assigned is
703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kenneth B. Wells
Primary Examiner
Art Unit 2816

February 20, 2004